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10 Attorneys for Respondent

11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
14

15 **STUART S. PRESSLY,**

Petitioner,

17 v.

18 **F.B. HAWS, Warden,**

Respondent.

07cv2315 J (JMA)

**REQUEST FOR ENLARGEMENT
OF TIME TO FILE MOTION TO
DISMISS OR ANSWER TO
PETITION FOR WRIT OF
HABEAS CORPUS**

Judge: The Honorable Jan M. Adler

21 Rhonda L. Cartwright-Ladendorf declares under penalty of perjury under the laws of
22 the United States:

23 She is the Supervising Deputy Attorney General assigned to prepare a motion to
24 dismiss or an answer to the Petition for Writ of Habeas Corpus (Petition) pending in the above-
25 entitled matter. This Court has ordered Respondent to file a motion to dismiss on or by February
26 4 or an answer by February 18, 2008.

27 Declarant respectfully requests a 60-day enlargement of time, until April 6 to file a
28 motion to dismiss or April 19, 2008, to file the answer, for the following reasons:

1 For the past 30 days, declarant has been unable to devote significant time to preparing a
2 motion to dismiss or an answer in this case because she has been drafting respondent's briefs in
3 three state court appeals: *People v. Becerra* (a complicated special circumstances, multiple
4 murder gang case) (G038851) which was filed on January 28, 2008, on an extension of time from
5 an order under California Rules of Court, rules 8.220 and 8.360; *People v. Dixon* (E042428),
6 which was filed on January 28, 2008, after an extension from the issuance of an order under
7 California Rules of Court, rules 8.220 and 8.360; and *People v. McNiece (Salazar)* (D050913)
8 due no later than February 1, 2008, after an extension from the issuance of an order under
9 California Rules of Court, rules 8.220 and 8.360, and *People v. Almarez* (E042651) which is due
10 in Division Two of the California Court of Appeal on February 23, 2008. In addition to these
11 direct appeals, Ms. Cartwright-Ladendorf recently has been reviewing the record in *Michael*
12 *Fuentes, Sr. v. James Tilton* (CV-07-1605-JSL (MLG)) to determine whether to file a motion to
13 dismiss or an answer in the United States District Court for the Central District of California.

14 As the Supervising Deputy Attorney General in charge of a team of six appellate
15 prosecutors, Ms. Cartwright-Ladendorf has been reviewing numerous respondent's briefs for the
16 California Courts of Appeal prepared by these prosecutors, as well as performing a multitude of
17 administrative tasks associated with the efficient management of a team of lawyers.

18 Finally, prior to being assigned this case Ms. Cartwright-Ladendorf scheduled a
19 prepaid vacation to Vietnam for February 20-March 11, 2008. During that time she will be
20 unable to work on a motion to dismiss or an answer.

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1 Given the number and complexity of other matters on which declarant is currently
2 working, and declarant's prepaid vacation out of the country, declarant respectfully requests this
3 Court find good cause to grant respondent an extension of time to April 6 to file a motion to
4 dismiss and April 19, 2008 to file an answer to the pending habeas petition.

5 Dated: January 31, 2008

6 Respectfully submitted,

7 EDMUND G. BROWN JR.
8 Attorney General of the State of California

9 DANE R. GILLETTE
10 Chief Assistant Attorney General

11 GARY W. SCHONS
12 Senior Assistant Attorney General

13 RHONDA CARTWRIGHT-LADENDORF
14 Supervising Deputy Attorney General

15 /s/ Rhonda Cartwright-Ladendorf

16 RHONDA CARTWRIGHT-LADENDORF
17 Supervising Deputy Attorney General
18 Attorneys for Respondent

19 RC:hgc

20 70113558.wpd
21 SD2007803271

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Pressly v. Haws**

No.: **07cv2315 J (JMA)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On January 31, 2008, I served the attached **REQUEST FOR ENLARGEMENT OF TIME TO FILE MOTION TO DISMISS OR ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

**Stuart Scott Pressly
V-48636
California State Prison, Los Angeles County
P.O. Box 8457
Lancaster, CA 93539-8457**

(In Pro Per)

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on January 31, 2008, at San Diego, California.

H. Calacsan

H. Calacsan

Declarant

Signature